



William S. Gyves

Kelley Drye & Warren LLP
3 World Trade Center
175 Greenwich Street
New York, NY 10007

Tel: (212) 808-7640
Fax: (212) 808-7897
WGYves@KelleyDrye.com

November 10, 2021

MEMO ENDORSED

By ECF

Hon. Paul G. Gardephe
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

The conference in this matter currently scheduled for November 18, 2021 is adjourned sine die. Plaintiff will move for default judgment by December 1, 2021.

SO ORDERED.

A handwritten signature in black ink, reading "Paul G. Gardephe".

Re: Bellridge Capital, LP v. EVmo, Inc.
1:21-cv-07091-PGG

Paul G. Gardephe
United States District Judge

Dear Judge Gardephe:

November 15, 2021

We represent plaintiff Bellridge Capital, LP ("Bellridge Capital"). The Court has scheduled an initial pre-trial conference for November 18, 2021. (Dkt. No. 7). In advance of that conference, the parties were required to submit a joint letter and case management plan by today. We respectfully request that the Court adjourn the initial pre-trial conference in light of Bellridge Capital's anticipated Order to Show Cause for Default Judgment.

Defendant EVmo, Inc., f/k/a YayYo, Inc. and f/k/a Rideshare Rental, Inc. ("EVmo"), has been in default since September 29, 2021. (Dkt. No. 11). For several weeks, we have been engaged in good faith discussions with EVmo's counsel regarding the allegations of the Complaint and the possibility of resolving this matter amicably. In the context of those discussions, we agreed to forego temporarily any steps to secure a default judgment against EVmo. Unfortunately, EVmo's counsel inexplicably has stopped responding to my telephone calls and emails concerning this matter. In light of this, Bellridge Capital has determined to pursue a default judgment. It intends to file the necessary order to show cause in short order.

Hon. Paul G. Gardephe
November 10, 2021

Under these circumstances, the parties are not in a position to submit an initial case management report. Accordingly, Bellridge Capital respectfully requests the Court adjourn the initial pre-trial conference to allow the anticipated order to show cause to run its course.

Respectfully submitted,

/s/ William S. Gyves

William S. Gyves

cc: James Nealon, Esq. (via email)